

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Lee et al.	Art Unit :	1636
Serial No. :	10/669,861	Examiner :	Jennifer Dunston
Filed :	September 24, 2003	Conf. No. :	4394
Title :	DIFFERENTIATION PROTEINS		

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF MARCH 14, 2008

In reply to the Final Office Action of March 14, 2008, Applicants submit the following remarks.

1. Priority

The Applicants do not accede to the Examiner's comments regarding Application Serial No. 60/338,441.

2. Rejection Under 35 U.S.C § 103

The Applicants do not accede to the statements made by the Examiner at pages 4-8. However, the Applicants respectfully ask that the Examiner withdraw the rejection since reference to US 2003/0165997 A1 (Kim et al.) is disqualified under 35 U.S.C. 103(c) in view of the statement below regarding common ownership pursuant to MPEP § 706.02(1)(2):

Statement of Common Ownership:

This application (Serial No. 10/669,861) and patent application US 2003/0165997 A1 (Kim et al.) (Serial No. 10/223,765) were, at the time the invention of this application was made, owned by Toolgen, Inc.

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: May 19, 2008

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Attorney's Docket No.: 12279-007002

The assignment of US 2003/0165997 A1 to Toolgen, Inc., was recorded with the Patent Office at Reel 013613, Frame 0386 (Exhibit A). This application is likewise assigned to Toolgen, Inc., as recorded at Reel 014764, Frame 0334 (Exhibit B).

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 19 May 2008



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